

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

WOW air LLC,

Plaintiff,

v.

Civil Action No.:1:20-cv-01556-AJT-JFA

Mark R. Pond,

Defendant,

_____ /

Mark R. Pond,

Counter-Plaintiff,

v.

WOW air LLC,

Counter-Defendant.

_____ /

**MARK POND’S MOTION TO SHOW CAUSE WHY WOW AIR LLC AND ITS
CHAIRMAN MICHELE ROOSEVENT EDWARDS SHOULD NOT BE HELD IN
CONTEMPT OF COURT**

Defendant/Counter-Plaintiff, Mark R. Pond, by and through his undersigned counsel, hereby files this Motion to Show Cause why Plaintiff/Counter-Defendant WOW air LLC (“WOW”) and its Chairman, Michele Roosevelt Edwards (“Ms. Edwards”), should not be held in contempt of court due to the failure of WOW and its Chairman to abide by this Court’s Order (Doc. No. 44) to pay settlement funds owed under a written settlement agreement between Mr. Pond and WOW. In support of this motion, Mr. Pond states as follows:

1. On May 21, 2021, a hearing was held before this Court on Mr. Pond's Motion to Enforce Settlement Agreement, and this Court entered an Order (Doc. No. 44) granting Mr. Pond's motion and concluding that Mr. Pond is entitled to specific performance.

2. This Court ordered that "Michele Roosevelt Edwards, Managing Member of WOW air LLC, cause to be delivered on behalf of WOW air LLC the sum of \$46,735 to Mark R. Pond's counsel within three (3) days of the date of this Order in performance of WOW air LLC's obligations under the settlement agreement, together with \$2,500 in attorney's fees and costs incurred in the enforcement of the settlement agreement."

3. To date, Edwards and WOW appear to have disregarded the Court's order. Neither Mr. Pond, nor Mr. Pond's counsel have received any payments from Ms. Edwards or from WOW air LLC.

4. Mr. Pond respectfully asks that the Court require Ms. Edwards and WOW to appear and explain their failure to comply, and in the absence of an explanation acceptable to the Court, hold Ms. Edwards and WOW in contempt and impose appropriate sanctions. Mr. Pond also requests an additional award of further attorneys' fees and costs in its ongoing efforts in seeking to enforce the settlement agreement.

Respectfully submitted on this 15th day of June, 2021.

/s/ Evan R. Smith
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of June, 2021, the undersigned electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, and that the foregoing was furnished via ECF to all counsel of record.

/s/ Evan R. Smith
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